

CHAPTER 610 HOURS OF DUTY

SUBCHAPTER 1 WEEKLY AND DAILY SCHEDULING OF WORK

1. **POLICY.** Except in situations where the head of the activity determines that the mission of the activity would be seriously handicapped or where costs would be substantially increased, work schedules will be as stable as practicable; employees will be given advance notice of changes in their tours of duty; the occurrence of a holiday will not affect the designation of the basic workweek; scheduled or unscheduled overtime work will be avoided whenever practicable; and, will be restricted to cases of real necessity or where overall economy can be clearly demonstrated.

2. **ASSISTANCE.** Please refer to Chapter 001 of this Manual for the telephone number to call for additional information or further assistance relative to this Subchapter.

3. DEFINITIONS

a. *Administrative Workweek.* An administrative workweek for General Schedule (GS) and Federal Wage System (FWS) employees is the calendar week of Sunday through Saturday. However, the hours of the administrative workweek may be varied to avoid carrying fractional workdays from one week to the next.

b. *Basic Workweek.* The basic workweek for full-time GS and FWS employees is 40 hours. It will not be scheduled over more than six of the seven days of the administrative workweek. Whenever practicable, the basic 40-hour workweek will be scheduled on five days, Monday through Friday, and the two days outside the basic workweek will be consecutive. However, for some types of operations, it may be impracticable to prescribe a regular schedule of definite hours for each workday, e.g., operations which must be carried through to completion without interruption. For full-time GS employees in these situations, the first 40 hours of duty performed within a period of not more than six days of the administrative workweek may be established as the basic workweek.

c. *Regularly Scheduled Administrative Workweek.* The basic workweek plus periods of overtime work that are regularly required constitute the regularly scheduled administrative workweek. For part-time employees, the regularly scheduled administrative workweek is the officially prescribed days and hours during which these employees are regularly required to be on duty.

4. **TIME IN TRAVEL STATUS.** See Chapter 550 of this Manual.

5. **STANDBY DUTY.** An employee will be considered on duty and time spent on standby duty shall be considered hours of work if:

a. The employee is restricted to an agency's premises, or so close thereto that the employee cannot use the time effectively for his or her own purposes; or

b. The employee, although not restricted to the agency's premises:

(1) is restricted to his or her living quarters or designated post of duty,

(2) has his or her activities substantially limited, and

(3) is required to remain in a state of readiness to perform work.

6. **ON-CALL DUTY.** An employee will be considered off duty and time spent in an on-call status shall not be considered hours of work if:

a. The employee is allowed to leave a telephone number or to carry an electronic device for the purposes of being contacted, even though the employee is required to remain within a reasonable call-back radius; or

b. The employee is allowed to make arrangements such that any work which may arise during the on-call period will be performed by another person.

The regulation distinguishes between off-duty employees who are on standby status and those who are on-call. Standby employees are entitled to compensation; on-call employees are not.

7. **LUNCH PERIODS.** Normally, during each eight-hour shift, employees are allowed a specified period of time off to eat lunch. This specified period of time may not exceed one hour. A lunch period is non-work time for which neither basic nor overtime compensation is payable. When a lunch period is set aside, the length of the shift or workday must be extended by the length of the non-work period. When management determines it is necessary, shifts may be scheduled without a lunch period. The employee may be permitted to eat lunch on the job when it is feasible to do so without stopping or interrupting his/her work effort.

8. **FLEXIBLE AND COMPRESSED WORK SCHEDULES**

a. Activity Heads may establish flexible work schedules.

b. Authority to establish compressed work schedules is delegated to Echelon 2 commanders and established schedules must be consistent with Part 610 of the Code of Federal Regulations.

c. Activities which use either flexible or compressed work schedules shall establish a time accounting method that will provide affirmative evidence that each employee subject to the schedule has worked the proper number of hours in a biweekly pay period.

d. Activities which extend recognition to a labor organization may have an obligation to negotiate the implementation of or changes to flexible or compressed work schedules. In these cases, Human Resources Office (HRO), Norfolk should be contacted prior to making any change in work schedules.

e. Questions regarding flexible or compressed workweek schedules should be directed to HRO Norfolk.

9. **SERVICE-TYPE FUNCTIONS.** Employees engaged in service type functions, including firefighters, will have fixed work schedules in accordance with the need for the services.

10. **CHANGING WORK SCHEDULES.** Employees shall be notified in advance of changes to established work schedules. Basic workweeks are scheduled for periods of at least one week, except in cases when the Activity Head determines that mission accomplishment would be seriously affected or that costs would be substantially increased

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SUBCHAPTER 2 HOLIDAYS

1. **POLICY.** The following legal holidays are observed:

New Year's Day, January 1
Martin Luther King's Birthday, the third Monday in January
Washington's Birthday, the third Monday in February
Memorial Day, the last Monday in May
Independence Day, July 4
Labor Day, the first Monday in September
Columbus Day, the second Monday in October
Veteran's Day, November 11
Thanksgiving Day, the fourth Thursday in November
Christmas Day, December 25

2. **ASSISTANCE.** Please refer to Chapter 001 of this Manual for the telephone number to call for additional information or further assistance relative to this Subchapter.

3. **PROCEDURES.** When a holiday falls on one of the employee's regularly scheduled workdays in his/her basic workweek, that workday is the employee's holiday. When a holiday falls on a day outside the employee's basic workweek, the holiday will be observed as follows:

- a. *When the basic workweek is Monday through Friday:*

(1) If the holiday occurs on Saturday, the employee's holiday will be observed on Friday preceding the holiday.

(2) If the holiday occurs on Sunday, the employee's holiday will be observed on Monday following the holiday.

- b. *When the basic workweek is other than Monday through Friday:*

(1) If the holiday falls on a regular nonworkday, the workday immediately before that nonworkday will be the employee's holiday.

(2) However, when the nonworkday is Sunday, the subsequent workday is the “in lieu of” holiday.

c. For employees on alternate work schedules:

(1) If a holiday is on a Sunday, the next work day is the in-lieu of holiday. For example, if an employee’s basic work week is Tuesday through Friday, the employee’s in-lieu of holiday is the following Tuesday.

(2) If the holiday is not on Sunday, the preceding work day is the in-lieu of holiday. For example, if an employee’s basic work week is Tuesday through Friday and Monday is a holiday, the employee’s in-lieu of holiday is the preceding Friday.

4. SPECIAL PROCEDURES

a. Holiday benefits apply to the calendar day on which the first shift begins when an employee works two shifts which begin within the same 24 hour period in his/her basic workweek.

b. When a half holiday is declared, employees are entitled to holiday benefits for one-half of the shift regularly scheduled for that day. If 8 hours of work had been scheduled, employees would be entitled to 4 hours of holiday benefits; if 16 hours of work had been scheduled, 8 hours; if 4 hours of work had been scheduled, 2 hours, etc.

c. When holidays occur on two consecutive days (such as when Christmas Eve is declared a holiday by Executive Order), entitlement to holiday benefits for either or both days will be determined in accordance with the rules for holidays. If the first holiday falls on a non-workday corresponding to Sunday, benefits for the first holiday carry over to the basic workday that follows the second holiday. If the first holiday falls on a non-workday other than Sunday, or other than a non-workday corresponding to Sunday, the holiday is observed on a workday preceding the holiday.

d. Part-time employees are not entitled to a holiday which falls outside the established work schedule. If a holiday falls on a day a part-time employee is scheduled to work and the employee does not work, the employee is paid for the number of hours scheduled for that day. If a part-time employee works during his/her scheduled hours on a holiday, the employee is entitled to holiday premium pay only for those hours scheduled.

5. AUTHORITY TO REQUIRE WORK ON A HOLIDAY. Each activity, within its discretion, may include a holiday within the official hours of duty or regular workweek of employees and require them to work on that day. When an employee is required to work on a holiday or on other days equivalent to holidays, the employee is paid premium pay for hours worked. When a holiday includes parts of two calendar days, holiday benefits (pay) result only when the holiday falls on the calendar day on which the workday starts.

6. **EFFECT OF ABSENCE.** An employee cannot receive holiday pay for a holiday when the employee is absent in a nonpay status both before and after the holiday. An employee will receive pay for a holiday when the employee is in a pay status either immediately before or immediately after the holiday.

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SUBCHAPTER 3 ADMINISTRATIVE DISMISSALS

1. **POLICY.** It is within the administrative discretion of the head of an activity to close all or parts of an activity for brief periods. This authority will be used sparingly to cover short periods of time. This authority may not be used for periods of interrupted or suspended operations which would ordinarily be covered by the scheduling of leave, furlough, or the assignment of other work. Dismissals due to unusual employment or work conditions created by a temporary disruption of air cooling or heating systems should be rare, and emphasis should be placed on the correction of these conditions. Before administrative excusal may be granted, it must be clearly established by reasonable standards of judgment that the conditions are such as to actually prevent working. Group dismissal authority will not be used to create a holiday.

2. **ASSISTANCE.** Please refer to Chapter 001 of this Manual for the telephone number to call for additional information or further assistance relative to this Subchapter.

3. COORDINATING DISMISSALS

a. Commander, Navy Region, Mid-Atlantic coordinates the dismissal policy for Naval activities in the Hampton Roads area. In geographical areas outside the Hampton Roads area, the commander of the activity employing the largest number of civilian employees or the designated area coordinator shall make the determination if an emergency exists and assess its impact on the employees.

b. Generally, an administrative order to dismiss employees is governed by local instruction and does not apply to employees working in services which cannot be suspended or interrupted or who cannot be excused for reasons of national security or other public reasons. To assure continuity, employees should be notified of procedures and/or instructions to be followed when a dismissal is announced during off-duty hours.

4. CHARGING LEAVE IN EMERGENCY SITUATIONS

a. *Emergency Employees.* Emergency employees who do not report for work as required, may be charged annual leave, sick leave, credit hours, compensatory time earned, LWOP, or absence without leave (AWOL), if appropriate.

b. *Employees in Special Situations.* Employees on LWOP pending disability retirement or while in receipt of Workers Compensation, on military leave, suspension, or in a non-pay status the workday before and after a closure, shall be continued in that status.

c. *Emergency Situations Occurring Before the Start of the Workday*

(1) When an activity is open and employees are expected to report to work on time, employees may be authorized use of annual leave, credit hours, LWOP, compensatory time earned, or excused for reasonable tardiness when they experience commuting delays.

(2) When the activity is open but some employees might be prevented from reporting to work or returning home safely, an unscheduled leave policy may be instituted.

(3) When an activity is closed, all affected non-emergency employees should be excused (placed on administrative leave) without loss of pay, whether or not other leave was previously approved.

d. *Emergency Situations Occurring During the Workday*

(1) When an activity remains open and employees are expected to complete the day's tour, they may be granted annual leave, credit hours, compensatory time earned, or LWOP.

(2) When an activity suspends operations, as much as practical, all non-emergency employees on duty at the time of dismissal should be excused (placed on administrative leave) without loss of pay, even if they were scheduled to take leave later in the day.

(a) Excused absence (administrative leave) may be granted to avoid hardship for employees who are authorized to leave after official notice of dismissal, but before official departure time, for the period remaining until official departure time. When an employee leaves after receiving official word of the pending dismissal but before the time set for dismissal (with supervisory approval) in a situation not involving a hardship, annual leave, credit hours, compensatory time earned, or LWOP may be charged as appropriate for the period remaining until the employee's official departure time, i.e., the authorized dismissal time.

(b) Annual leave, credit hours, compensatory time earned, or LWOP may be granted, or AWOL may be charged, if appropriate, to employees who leave before official notice of dismissal, for the period remaining until the end of the regular workday.

(c) When an employee was scheduled to return from leave during the dismissal period, the activity should continue to charge leave for the absence until the time set for dismissal, then charge any continuing absence due to the emergency in the same manner as absences of other employees who were on duty at the time of dismissal, i.e., as an excused absence.

(d) Non-emergency employees who are scheduled to report for work before the dismissal, but who don't report, should be granted leave, compensatory time earned, credit hours or charged AWOL, if appropriate, for the entire workday.

5. **RESPONSIBILITY.** Any questions concerning interpretation or application of this Subchapter should be directed to Human Resources Office, Norfolk.